

# An Garda Síochána

Oifig Saoráil Faisnéise  
An Garda Síochána  
Teach áth Luimnigh  
Lárionad Gnó Udáras Forbartha Tionscail  
Baile Sheáin  
An Uaimh  
Contae na Mí  
C15 DR90



Freedom of Information Office  
An Garda Síochána  
Athlumney House  
IDA Business Park  
Johnstown  
Navan  
Co Meath  
C15 DR 90

Teileafón/Tel: (046) 9036350

Láithreán Gréasain/Website: [www.garda.ie](http://www.garda.ie)

Bí linn/Join us  

Ríomh-phoist:/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-000035-2015 Request Refusal

Dear

I refer to the Freedom of Information Act 2014 and your submission to this body dated 15/10/2015 and received on 15/10/2015.

Part 1 of Schedule 1 of the Freedom of Information Act 2014 states that An Garda Síochána is listed as a partially included agency *"insofar as it relates to administrative records relating to human resources, or finance or procurement matters"*. Therefore, only administrative records that relate to human resources, finance or procurement shall be considered.

Your request is shown below:

- *"Records outlining the number of gardai who have been subject to internal disciplinary procedures in 2009, 2010, 2012, 2013, 2014 and the first nine months of 2015.*
- *Records outlining the alleged breaches of discipline involved in each case.*
- *Records outlining the outcome of each internal disciplinary procedure, including the nature of the punishment, if any, applied.*
- *Records indicating the number on internal disciplinary procedure outcomes that were appealed and the outcomes of those appeals."*

I, \_\_\_\_\_ have made a final decision to refuse your request.

The purpose of this letter is to explain my decision.

## **1. Findings, particulars and reasons for decision**

I am refusing your request on the basis that the records are not readily identifiable. It would cause a substantial and unreasonable disruption to the Human Resources and People Development section of An Garda Síochána to inspect all records held to identify and provide the records in the form you have requested.

Section 15(1)(c) of the Freedom of Information Act 2014 is as follows:

15. (1) *A head to whom an FOI request is made may refuse to grant the request where—*
- (c) *in the opinion of the head, granting the request would, by reason of the number or nature of the records concerned or the nature of the information concerned, require the retrieval and examination of such number of records or an examination of such kind of the records concerned as to cause a substantial and unreasonable interference with or disruption of work (including disruption of work in a particular functional area) of the FOI body concerned,*

Members of An Garda Síochána are subject to the Garda Síochána (Discipline) Regulations, 2007 as amended. As per the regulations minor disciplinary matters are locally addressed by way of Regulation 10. Such records are retained locally and not centrally. Matters of a serious nature (part 3) and less serious nature (part 2) are progressed centrally.

I wish to make you aware that summary information for years 2009 to 2014 are available in the relevant Garda Síochána Annual Reports that have already been published on the Garda Síochána website ([www.garda.ie](http://www.garda.ie)).

I am providing the summary figures for the year to date in line with the publications.

### **Summary of Internal Disciplinary Procedures January 2015 to date**

Figures thus far in 2015 are as follows;

- 84 members found in breach of discipline under the Garda Síochána (Discipline) Regulations 2007 as amended.
- These members received a combination of monetary sanctions, cautions, warnings and reprimands.
- The total monetary penalty imposed on members was €28,790.12.
- There were three members listed as discharged as follows;
  1. One resignation in lieu of dismissal
  2. One dismissal as per Section 14 of the Garda Síochána Act 2005
  3. One resignation/retirement on foot of dismissal proceedings.

## **2. Right of appeal**

In the event that you are not happy with this decision you may seek an Internal Review of the matter by writing to the address below and quoting reference number **F01-000035-2015**.

Freedom of Information Office,  
An Garda Síochána,  
Athlumney House,  
IDA Business Park,  
Johnstown,  
Navan,  
Co. Meath  
C15 DR90

Please note that a fee applies. This fee has been set at €30 (€10 for a Medical Card holder). Payment should be made by way of bank draft, money order, postal order or personal cheque, and made payable to Accountant, Garda Finance Directorate, Garda Headquarters, Phoenix Park, Dublin 8.

Payment can be made by electronic means, using the following details:

**Account Name:** Garda Síochána Finance Section Public Bank Account  
**Account Number:** 10026896  
**Sort Code:** 900017  
**IBAN:** IE86B0F190001710026896  
**BIC:** BOFIE2D

**You must ensure that your FOI reference number is included in the payment details.**

You should submit your request for an Internal Review within 4 weeks from the date of this notification. The review will involve a complete reconsideration of the matter by a more senior member of An Garda Síochána and the decision will be communicated to you within 3 weeks. The making of a late appeal may be permitted in appropriate circumstances.

Please be advised that An Garda Síochána replies under Freedom of Information may be released in to the public domain via our website at [www.garda.ie](http://www.garda.ie).

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

Should you have any questions or concerns regarding the above, please contact me by telephone at (046) 9036350.

Yours sincerely,

**FREEDOM OF INFORMATION OFFICER**

**12<sup>th</sup> November 2015**